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PATENT  
ATTORNEY DOCKET NO. 040808-5112

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

|                                  |   |                      |
|----------------------------------|---|----------------------|
| In re Application of:            | ) |                      |
|                                  | ) |                      |
| Hideyasu KUNIBA                  | ) |                      |
|                                  | ) |                      |
| Application No.: 10/005,070      | ) | Group Art Unit: 2613 |
|                                  | ) |                      |
| Filed: December 7, 2001          | ) | Examiner: Unassigned |
|                                  | ) |                      |
| For: IMAGE ENCODING DEVICE,      | ) |                      |
| ELECTRONIC CAMERA AND RECORDING) | ) |                      |
| MEDIUM FOR IMAGE ENCODING        | ) |                      |
| PROGRAM                          | ) |                      |

Commissioner for Patents  
Washington, D.C. 20231

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicant brings to the attention of the Examiner the documents listed on the attached PTO-1449. This Information Disclosure Statement is being filed within three months of the filing date of the above-referenced application and before the mailing date of a first Office Action on the merits for the above-referenced application.

A copy of each listed document is attached. Applicant respectfully requests that the Examiner consider the listed documents and evidence that consideration by making appropriate notations on the attached form.

The following are listed on the accompanying PTO-1449 and are in a language other than English.

1. Japanese Patent Publication No. 2001-230947. The relevance of this document is shown in the English-language abstract.

2. Japanese Patent Publication No. 2000-358183. The relevance of this document is shown in the English-language abstract.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed documents are material or constitute “prior art.” If it should be determined that the listed documents do not constitute “prior art” under United States law, Applicant reserves the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should the documents be applied against the claims of the present application.

**Except** for issue fees payable under 37 C.F.R. §1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No.

50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR  
EXTENSION OF TIME** in accordance with 37 C.F.R. §1.136(a)(3).

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**

A handwritten signature in black ink, appearing to read 'RAG', is written over a horizontal line.

Robert J. Goodell

Reg. No. 41,040

Dated: February 26, 2002  
MORGAN, LEWIS & BOCKIUS LLP  
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**INFORMATION DISCLOSURE CITATION**

(Use several sheets if necessary)

PTO Form 1449

FEB 26 2002

Attorney Docket No.  
040808-5112Application No.  
10/005,070

Applicant: Hideyasu KUNIBA

PAGE 1 of 1

Filing Date: December 7, 2001

Group Art Unit: 2613

U.S. PATENT DOCUMENTS

| *Examiner<br>Initial | Document<br>Number | Date | Name | Class | Sub<br>Class | Filing Date |
|----------------------|--------------------|------|------|-------|--------------|-------------|
|                      |                    |      |      |       |              |             |
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**FOREIGN PATENT DOCUMENTS**

| Document<br>Number | Date          | Country | Class | Sub<br>Class | <u>Translation</u><br>YES NO |
|--------------------|---------------|---------|-------|--------------|------------------------------|
| 2001-230947        | Aug. 24, 2001 | Japan   |       |              | w/abstract                   |
| 2000-358183        | Dec. 26, 2000 | Japan   |       |              | w/abstract                   |
|                    |               |         |       |              |                              |

**OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)**

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Examiner

Date Considered

Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.